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SENATE BILL 6699

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State of Washington 57th Legislature

2002 Regular Session

By Senators Kohl-Welles, Winsley, Costa, Shin, McAuliffe, Kline and Keiser; by request of State Board for Community and Technical Colleges

Read first time 01/26/2002. Referred to Committee on Higher Education.

1 AN ACT Relating to the powers and duties of the boards of trustees  
2 of community and technical colleges; and amending RCW 28B.50.140.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.50.140 and 1997 c 281 s 1 are each amended to read  
5 as follows:

6 Each board of trustees:

7 (1) Shall operate all existing community and technical colleges in  
8 its district;

9 (2) Shall create comprehensive programs of community and technical  
10 college education and training and maintain an open-door policy in  
11 accordance with the provisions of RCW 28B.50.090(3). However,  
12 technical colleges, and college districts containing only technical  
13 colleges, shall maintain programs solely for occupational education,  
14 basic skills, and literacy purposes. For as long as a need exists,  
15 technical colleges may continue those programs, activities, and  
16 services they offered during the twelve-month period preceding  
17 September 1, 1991;

18 (3) Shall employ for a period to be fixed by the board a college  
19 president for each community and technical college and, may appoint a

1 president for the district, and fix their duties and compensation,  
2 which may include elements other than salary. Compensation under this  
3 subsection shall not affect but may supplement retirement, health care,  
4 and other benefits that are otherwise applicable to the presidents as  
5 state employees. The board shall also employ for a period to be fixed  
6 by the board members of the faculty and such other administrative  
7 officers and other employees as may be necessary or appropriate and fix  
8 their salaries and duties. Compensation and salary increases under  
9 this subsection shall not exceed the amount or percentage established  
10 for those purposes in the state appropriations act by the legislature  
11 as allocated to the board of trustees by the state board for community  
12 and technical colleges. The state board for community and technical  
13 colleges shall adopt rules defining the permissible elements of  
14 compensation under this subsection;

15 (4) May establish, under the approval and direction of the college  
16 board, new facilities as community needs and interests demand.  
17 However, the authority of boards of trustees to purchase or lease major  
18 off-campus facilities shall be subject to the approval of the higher  
19 education coordinating board pursuant to RCW 28B.80.340(5);

20 (5) May establish or lease, operate, equip and maintain  
21 dormitories, food service facilities, bookstores and other self-  
22 supporting facilities connected with the operation of the community and  
23 technical college;

24 (6) May, with the approval of the college board, borrow money and  
25 issue and sell revenue bonds or other evidences of indebtedness for the  
26 construction, reconstruction, erection, equipping with permanent  
27 fixtures, demolition and major alteration of buildings or other capital  
28 assets, and the acquisition of sites, rights-of-way, easements,  
29 improvements or appurtenances, for dormitories, food service  
30 facilities, and other self-supporting facilities connected with the  
31 operation of the community and technical college in accordance with the  
32 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

33 (7) May establish fees and charges for the facilities authorized  
34 hereunder, including reasonable rules ~~((and regulations))~~ for the  
35 government thereof, not inconsistent with the rules ~~((and regulations))~~  
36 of the college board; each board of trustees operating a community and  
37 technical college may enter into agreements, subject to rules ~~((and~~  
38 ~~regulations))~~ of the college board, with owners of facilities to be

1 used for housing regarding the management, operation, and government of  
2 such facilities, and any board entering into such an agreement may:

3 (a) Make rules (~~(and regulations)~~) for the government, management  
4 and operation of such housing facilities deemed necessary or advisable;  
5 and

6 (b) Employ necessary employees to govern, manage and operate the  
7 same;

8 (8) May receive such gifts, grants, conveyances, devises and  
9 bequests of real or personal property from private sources, as may be  
10 made from time to time, in trust or otherwise, whenever the terms and  
11 conditions thereof will aid in carrying out the community and technical  
12 college programs as specified by law and the (~~(regulations)~~) rules of  
13 the state college board; sell, lease or exchange, invest or expend the  
14 same or the proceeds, rents, profits and income thereof according to  
15 the terms and conditions thereof; and adopt (~~(regulations)~~) rules to  
16 govern the receipt and expenditure of the proceeds, rents, profits and  
17 income thereof;

18 (9) May establish and maintain night schools whenever in the  
19 discretion of the board of trustees it is deemed advisable, and  
20 authorize classrooms and other facilities to be used for summer or  
21 night schools, or for public meetings and for any other uses consistent  
22 with the use of such classrooms or facilities for community and  
23 technical college purposes;

24 (10) May make rules (~~(and regulations)~~) for pedestrian and  
25 vehicular traffic on property owned, operated, or maintained by the  
26 district;

27 (11) Shall prescribe, with the assistance of the faculty, the  
28 course of study in the various departments of the community and  
29 technical college or colleges under its control, and publish such  
30 catalogues and bulletins as may become necessary;

31 (12) May grant to every student, upon graduation or completion of  
32 a course of study, a suitable diploma, nonbaccalaureate degree or  
33 certificate. Technical colleges shall offer only nonbaccalaureate  
34 technical degrees under the rules of the state board for community and  
35 technical colleges that are appropriate to their work force education  
36 and training mission. The primary purpose of this degree is to lead  
37 the individual directly to employment in a specific occupation.  
38 Technical colleges may not offer transfer degrees. The board, upon  
39 recommendation of the faculty, may also confer honorary associate of

1 arts degrees upon persons other than graduates of the community  
2 college, in recognition of their learning or devotion to education,  
3 literature, art, or science. No degree may be conferred in  
4 consideration of the payment of money or the donation of any kind of  
5 property;

6 (13) Shall enforce the rules (~~(and regulations)~~) prescribed by the  
7 state board for community and technical colleges for the government of  
8 community and technical colleges, students and teachers, and promulgate  
9 such rules (~~(and regulations)~~) and perform all other acts not  
10 inconsistent with law or rules (~~(and regulations)~~) of the state board  
11 for community and technical colleges as the board of trustees may in  
12 its discretion deem necessary or appropriate to the administration of  
13 college districts: PROVIDED, That such rules (~~(and regulations)~~) shall  
14 include, but not be limited to, rules (~~(and regulations)~~) relating to  
15 housing, scholarships, conduct at the various community and technical  
16 college facilities, and discipline: PROVIDED, FURTHER, That the board  
17 of trustees may suspend or expel from community and technical colleges  
18 students who refuse to obey any of the duly promulgated rules (~~(and~~  
19 ~~regulations)~~);

20 (14) May, by written order filed in its office, delegate to the  
21 president or district president any of the powers and duties vested in  
22 or imposed upon it by this chapter. Such delegated powers and duties  
23 may be exercised in the name of the district board;

24 (15) May perform such other activities consistent with this chapter  
25 and not in conflict with the directives of the college board;

26 (16) Notwithstanding any other provision of law, may offer  
27 educational services on a contractual basis other than the tuition and  
28 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
29 or governmental entities, consistent with rules (~~(and regulations)~~)  
30 adopted by the state board for community and technical colleges:  
31 PROVIDED, That the whole of such special fee shall go to the college  
32 district and be not less than the full instructional costs of such  
33 services including any salary increases authorized by the legislature  
34 for community and technical college employees during the term of the  
35 agreement: PROVIDED FURTHER, That enrollments generated hereunder  
36 shall not be counted toward the official enrollment level of the  
37 college district for state funding purposes;

38 (17) Notwithstanding any other provision of law, may offer  
39 educational services on a contractual basis, charging tuition and fees

1 as set forth in chapter 28B.15 RCW, counting such enrollments for state  
2 funding purposes, and may additionally charge a special supplemental  
3 fee when necessary to cover the full instructional costs of such  
4 services: PROVIDED, That such contracts shall be subject to review by  
5 the state board for community and technical colleges and to such rules  
6 as the state board may adopt for that purpose in order to assure that  
7 the sum of the supplemental fee and the normal state funding shall not  
8 exceed the projected total cost of offering the educational service:  
9 PROVIDED FURTHER, That enrollments generated by courses offered on the  
10 basis of contracts requiring payment of a share of the normal costs of  
11 the course will be discounted to the percentage provided by the  
12 college;

13 (18) Shall be authorized to pay dues to any association of trustees  
14 that may be formed by the various boards of trustees; such association  
15 may expend any or all of such funds to submit biennially, or more often  
16 if necessary, to the governor and to the legislature, the  
17 recommendations of the association regarding changes which would affect  
18 the efficiency of such association;

19 (19) Subject to the approval of the higher education coordinating  
20 board pursuant to RCW 28B.80.340(4), may participate in higher  
21 education centers and consortia that involve any four-year public or  
22 independent college or university; (~~and~~)

23 (20) May make rules pertaining to the possession and use of weapons  
24 by students and visitors on property owned, operated, or maintained by  
25 its district; and

26 (21) Shall perform any other duties and responsibilities imposed by  
27 law or rule (~~and regulation~~) of the state board.

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